

644.84
F12A
1914

STATE FIRE MARSHAL

SECOND ANNUAL REPORT

TO THE
STATE AUDITOR *and* COMMISSIONER
OF INSURANCE EX-OFFICIO
OF MONTANA



1914



By JOHN F. McCORMICK
STATE FIRE MARSHAL

INDEPENDENT PUBLISHING CO.,
HELENA, MONTANA



Montana State Library



3 0864 1006 5303 2

STATE FIRE MARSHAL

SECOND ANNUAL REPORT

TO THE
STATE AUDITOR *and* COMMISSIONER
OF INSURANCE EX-OFFICIO
OF MONTANA



1914



By JOHN F. McCORMICK
STATE FIRE MARSHAL

Digitized by the Internet Archive
in 2013

Second Annual Report

Helena, Montana, June 15, 1914.

Hon. William Keating, State Auditor and Commissioner of Insurance, ex-officio, Helena, Montana.

Sir:

I have the honor to submit, as required by Sec. 22 of the State Fire Marshal law of the State of Montana, the third annual report of the State Fire Marshal.

This report covers the operations of the department from January 1, 1913 to April 1, 1914, a period of fifteen months and shows in detailed statements and tabulations all phases of the work being carried on by this department.

I wish to thank the chiefs of the various fire departments, also the justices of the peace and mayors of villages for the assistance they have rendered me and to acknowledge the uniform courtesy with which suggestions from me as to the removal of fire hazards have always been received.

Respectfully submitted,

JOHN F. McCORMICK.

State Fire Marshal.

TABLE I.
FIRE HAZARDS INSPECTED AND REMOVED.

	NO.	TEAR DOWN	CLEAN UP	REPAIRS	KEROSENE GASOLINE & EXPLOSIVES	FIRE ESCAPES Ordered Installed
Anaconda	68	68				1
Butte	24	11	5	9	2	
Hamilton	1	1				
Helena	3	3				
Lewistown	3					
Livingston	3	3				1
Missoula	12		3	9	3	
Phillipsburg	3	3				
Whitehall	1	1				
Total	122	90	10	20	5	2

TABLE II.
CLASS OF PROPERTY BURNED.

Assay office	1
Automobile	2
Bakeries	5
Banks	5
Barber shops	9
Barns	25
Blacksmith shops	3
Boiler rooms	2
Carpenter shops	1
Chicken house	4
Churches	10
Cleaning shops	5
Coal sheds	2
Cold storages	6
Dwellings	233
Elevator	1
Factories	7
Foundry	1
Freight cars	2
Garages	3
Hospitals	3
Hotels	17
Ice houses	1
Jails	1
Laundries	4
Livery barns	1
Lodge halls	2
Lumber	5
Meat markets	4
Mill	1
Office buildings	13
Out buildings	16
Paint shop	1
Photo galleries	2
Plumbing shop	1
Pool Halls	1
Printing Est.	1
Restaurants	12
Rooming houses ..	37
Saloons	14
Schools	9
Slaughter houses ..	1
Smoke houses	2
Stores	54
Tailor shops	2
Theatres	2
Warehouses	13
Total	552

TABLE III.
CAUSES OF FIRE WITH LOSS AND INSURANCE.

Cause of Fire.	No.	Sound Value	Loss	Insurance
Adjoining fire	67	\$ 408,961	\$ 150,004	\$ 202,300
Ammonia explosion	1	64,221	17,122	39,160
Arc light	1	50,000	15	35,000
Ashes vs. wood	20	299,050	108,415	176,450
Burning grease	3	525,500	3,125	102,200
Burning rubbish	6	74,325	220	37,700
Children vs. bonfire	1	125	125
Children vs. candle	2	9,600	5,900	4,000
Children vs. matches	12	12,665	1,655	7,350
Curtains vs. candle	1	1,500	25	1,100
Curtains vs. matches, etc.	1	3,000	20	2,200
Defective asbestos cover on steampipe	1	175,000	10	125,000
Defective boiler	2	58,000	1,310	36,500
Defective chimney	18	48,300	3,675	18,960
Defective fire box	1	2,100	300	1,750
Defective fire place	4	88,500	610	56,400
Defective flue	36	787,175	42,112	511,940
Defective furnace	19	344,200	32,285	105,100
Defective gas main	1	4,500	3,500	3,500
Defective oven	1	3,200	1,625	1,800
Defective stove pipe	9	39,600	16,732	33,000
Defective wiring	10	644,300	53,126	405,233
Drunken men	3	7,150	725	1,300
Electric curling iron	1	103,000	25	35,500
Dynamo	1	225,000	50	185,000
Explosion coal gas	1	39,630	2,885	18,500
Electric spark	4	85,000	90	4,500
Explosion gasoline	24	144,850	16,327	96,480
Explosion oil stove	1	700	175
Explosion water jacket	1	4,000	175	2,800
Gasoline torch	1	1,000	95
Gas lamp vs. wood	1	16,000	500	4,700
Incendiary	19	101,675	17,998	48,400
Kerosene lamp	5	24,700	2,580	16,500
Lantern	1	7,300	1,400	4,000
Lightning	1	60,000	40	38,000
Match carelessness	2	10,142	30	3,200
Mice vs. matches	1	3,000	75	800
Mosquito smudge	1	1,900	65	1,000
Overflow boiling tar	2	18,200	400	1,600
Overheated bearing	2	25,675	730	20,000
Overheated furnace pipe	1	50,000	1,900	39,800
Overheated kerosine stove	1	3,700	25	2,500
Prairie fire	4	330
Rubbish from furnace	2	105,000	30,515	73,000
Smokers' carelessness	16	552,042	4,648	385,921
Sparks from chimney	22	106,300	4,785	54,750
Sparks from locomotive	6	33,250	83,324	5,600
Sparks from stationery engine ..	2	10,000	10,000
Sparks from stove	2	30,442	7,700	22,000
Spontaneous combustion	15	784,257	47,869	457,772
Stove vs. wood	62	387,675	37,642	203,625
Thawing pipes	3	49,742	655	25,000
Tramps	2	1,000	200
Unknown	121	796,936	343,179	444,229
Vulcanizer	1	80,000	25	12,000
Wood from electric flat iron ..	1	3,000	20	2,200
Wood from steam pipe	1	160,000	10	129,871
Total	551	\$7,597,088	\$1,059,603	\$4,247,191

TABLE IV.

FINANCIAL STATEMENT.

Receipts and Disbursements January 6, 1913, to March 31, 1914.

RECEIPTS.

Collections from fire insurance companies from January 6, 1913 to February 28, 1913	\$1,179.68
Do. quarter ending May 31, 1913	3,499.72
Do. quarter ending February 28, 1914	2,271.99
Do. month ending March 31, 1914	2,631.98
Total	\$9,583.37

DISBURSEMENTS.

Salary January 6, 1913 to March 31, 1914	\$2,596.77
Traveling expenses, office supplies, mileage books, etc., for same period	2,948.31
Total	\$5,545.08

TABLE V.

FIRES BY MONTHS.

January	69
February	41
March	44
April	28
May	23
June	22
July	18
August	36
September	53
October	27
November	24
December	51
January	46
February	39
March	31
Total	552

TABLE VI.
FIRE REPORTS BY COUNTIES.

County	No.	Value	Loss	Insurance
Beaverhead	12	\$ 95,900	\$ 26,953	\$ 29,250
Blaine	2	65,000	95	46,000
Broadwater	2	7,500	650	2,500
Big Horn	4	4,200	1,000	2,250
Carbon	13	85,550	37,100	46,500
Cascade	40	1,209,665	22,703	478,960
Choteau	None	No	Reports	
Custer	32	260,895	48,480	147,675
Dawson	6	30,275	2,395	17,950
Deer Lodge	22	89,200	9,345	32,050
Fergus	23	336,060	31,915	106,950
Flathead	33	93,975	54,080	47,150
Gallatin	22	138,200	61,792	89,300
Granite	7	12,000	315	1,000
Hill	9	103,500	26,990	49,200
Jefferson	21	133,975	90,995	56,083
Lewis and Clark	20	205,830	16,630	85,430
Lincoln	4	39,530	4,460	25,900
Madison	2	38,000	7,130	21,000
Meagher	2	2,125	2,125	700
Missoula	46	383,737	202,853	235,620
Musselshell	6	19,300	5,770	11,900
Park	30	338,591	142,874	195,000
Powell	1	18,000	1,000	6,750
Ravalli	3	5,250	2,138	5,800
Rosebud	None	New	County	
Sanders	13	78,550	44,815	48,258
Silver Bow	130	3,637,230	122,655	3,273,575
Stillwater	1	1,300	350	700
Sweetgrass	2	725	535	950
Sheridan	2	1,100	975	315
Teton	15	69,300	37,450	43,275
Valley	19	67,625	34,610	19,600
Yellowstone	8	31,000	24,055	21,100
Total	552	\$7,603,088	\$1,065,233	\$4,247,191

State Fire Marshal Law

CHAPTER 148.—H. B. 77.

An Act to Create and Establish the Office of State Fire Marshal, to Provide for His Appointment, Fixing His Salary and Defining His Duties; and Defining the Duties and Powers of Certain Other Officials in Relation Thereto.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. There is hereby created and established the office of State Fire Marshal, which shall be a department of, and under the supervision and control of the State Auditor and Commissioner of Insurance, Ex-Officio.

Section 2. The State Auditor and Commissioner of Insurance, Ex-Officio, is hereby authorized and empowered to appoint, immediately after the approval of this Act, a suitable person, a citizen of this State, who shall be designated as State Fire Marshal, and whose term of office shall be for four (4) years; except, that the first officer appointed under this Act shall hold office until January 1st, 1913, or until his successor is appointed and qualified; provided, that such officer is subject at all times to removal by the appointing power.

Section 3. The salary of the State Fire Marshal shall be Twenty-one Hundred (\$2,100.00) Dollars per annum, payable monthly from the Special Fund as hereinafter provided.

Section 4. The State Fire Marshal shall not engage in any other business. He shall at all times be in the office of the State Fire Marshall, ready for the performance of the duties required of him by law.

Section 5. (As Amended by Laws of 1913.) In an emergency, or during the absence or disability of the State Fire Marshal, the State Auditor and Commissioner of Insurance may appoint a special Deputy Fire Marshal, who shall perform the duties of the office or any duty which may be assigned to him, such appointment to be temporary and to cease when the necessity therefor has been relieved. Said Special Deputy shall be allowed and paid at the rate of five (\$5.00) dollars per day for each day's service performed in the interest of the State under said appointment, during the period for which said appointment was authorized. His claim for per diem for such service and for necessary traveling expense incurred in the per-

formance of said duties, properly attested and sworn to, shall be filed with the Commissioner of Insurance or State Fire Marshal, who shall certify to the correctness of the same, and refer said claim so certified, to the State Board of Examiners, and upon their approval, as required by law, said claim shall be paid in the usual manner; provided, that the warrant issued in payment of said claim shall be charged against the amount appropriated for the expenses of the State Fire Marshal's office; and provided further, that the State Auditor and Commissioner of Insurance may also appoint special Deputy Fire Marshals without remuneration (Approved March 14th, 1913.).

Section 6. The State Fire Marshal, the chief of the fire department of each city or village in which a fire department is established, the mayor of each incorporated village in which no fire department exists, and the Justice of the Peace of each organized township without the limits of a village or city, shall investigate the cause, origin and circumstances of each fire occurring in such city, village or township by which such property has been destroyed or damaged, and shall make an investigation to determine whether the fire was the result of carelessness or design. The investigation shall be commenced within two days, not including Sunday, if the fire occurred on that day, and the State Fire Marshal may superintend and direct the investigation if he deems it necessary.

Section 7. The officer making an investigation of a fire occurring in a city, village or township, shall forthwith notify the State Fire Marshal, and within one week of the occurrence of the fire shall furnish him a written statement of all facts relating to its cause and origin, and such other information as is required by forms provided by the State Fire Marshal.

Section 8. An Officer named in the last two preceding sections who neglects to comply with any requirements of this chapter shall be fined not less than twenty-five dollars, nor more than two hundred dollars.

Section 9. If, in his opinion, further investigation is necessary, the State Fire Marshal, or a Deputy State Fire Marshal, shall take or cause to be taken the testimony on oath of all persons supposed to be cognizant of any facts, or to have means of knowledge in relation to the matter concerning which an examination is required by law to be and cause such testimony to be reduced to writing.

Section 10. If the State Fire Marshal, or a Deputy is of the opinion that there is evidence sufficient to charge a person with arson or a similar crime, he shall arrest him or cause him to be arrested and charged with such offense. He shall furnish the prosecuting attorney such evidence, with the names of witnesses, and a copy of material testimony taken in the case.

Section 11. The State Fire Marshal, or a Deputy State Fire Marshal may summon and compel the attendance of witnesses before him to testify in relation to any matter which by law is a subject of inquiry and investigation, and require the production of any book, paper or document he deems pertinent.

Section 12. The State Fire Marshal, or a Deputy State Fire Marshal, shall have authority to administer an oath to any person appearing as a witness before him. False swearing in a matter of proceeding shall be perjury and punished as such. A witness who refuses to be sworn or refuses to testify, or disobeys a lawful order to the State Fire Marshal, or a Deputy State Fire Marshal, or fails, or refuses, to produce a book, paper or document concerning a matter under examination, or is guilty of contemptuous conduct after being summoned by such officer to appear before him to give testimony in relation to a matter or subject under investigation, may be summarily punished by such officer as for contempt, by a fine not exceeding one hundred dollars, or be committed to the county jail until such person is willing to comply with the order.

Section 13. Investigation by or under the direction of the State Fire Marshal may in his discretion be private. He may exclude from the place where such investigation is held all persons other than those required to be present, and witnesses may be kept separate from each other and not be allowed to communicate with each other until they have been examined.

Section 14. In the performance of the duties imposed by the provisions of this chapter, the State Fire Marshal and each of his subordinates, at all times of day or night, may enter upon and examine any building or premises where a fire has occurred, and other buildings and premises adjoining or near thereto.

Section 15. The State Fire Marshal, his deputies and subordinates, the chief of the fire department of each city or village where a fire department is established, or the mayor of a city or village where no fire department exists, or the Justice of the Peace of a township in territory without the limits of a

city or village, at all reasonable hours may enter into all buildings and upon all premises within their jurisdiction for the purpose of examination.

Section 16. (As Amended by Laws of 1913.) If the State Fire Marshal, a Deputy State Fire Marshal, or any officer mentioned in the preceding section, upon an examination or inspection finds a building or other structure, which for want of proper repair, by reason of age and dilapidated condition, defective or poorly installed electrical wiring and equipment, defective chimneys, defective gas connections, defective heating apparatus, or for any other cause or reason is especially liable to fire and which building or structure is so situated as to endanger other buildings or property, such officer shall order such building or buildings to be repaired, torn down, demolished, materials removed and all dangerous conditions remedied. If such officer finds in a building, or upon any premises any combustible or explosive material, rubbish, rags, waste, oils, gasoline or inflammable conditions of any kind, dangerous to the safety of such buildings or premises, buildings or property, he shall order such materials removed or conditions remedied. Such order shall be made against and served personally or by registered letter upon the owner, lessee, agent, or occupant of such building or premises, and thereupon such order shall be complied with by the owner, lessee, agent or occupant and within the time fixed in said order. (Approved March 14th, 1913.)

Section 17. If the owner or occupant deems himself aggrieved by an order of an officer under the preceding section he may appeal to the State Fire Marshal within twenty-four hours, and the cause of the complaint shall at once be investigated by direction of the State Fire Marshal, it shall remain in force and forthwith be complied with by such owner or occupant.

Section 18. An owner or occupant of buildings or premises who fails to comply with the orders of the authorities named in the three preceding sections shall be fined not less than ten dollars nor more than fifty dollars for each day's neglect.

Section 19. The State Fire Marshal shall keep in his office a record of all fires occurring in the State, the origin of such fires and all facts, statistics and circumstances relating thereto, which have been determined by investigations under the provisions of this chapter. Except the testimony given upon an in-

vestigation, such record shall be open at all times to public inspection.

Section 20. Chiefs of fire departments and mayors of incorporated villages who do not receive compensation for their services, and Justices of the Peace of organized townships, who are required by the provisions of this chapter to report fires to the State Fire Marshal, shall receive fifty cents for each fire reported to his satisfaction, and fifteen cents per mile for each mile traveled to the place of the fire. At the close of each appropriation year such allowance shall be paid in the same manner as other claims arising in the State Fire Marshal's Department, and as heretofore provided for in this Act.

Section 21. The State Fire Marshal shall keep on file in his office an itemized statement of all expenses incurred by the department. He shall approve all vouchers issued therefore before they are submitted to the State Board of Examiners for payment, and thereupon such vouchers shall be allowed and paid as other claims against the State.

Section 22. The State Fire Marshal shall make an annual report to the Commissioner of Insurance, containing a detailed statement of his official action and the transactions of his department. The Commissioner of Insurance shall, in turn, submit said report to the Governor of the State, with such recommendations and comments thereon as he may deem necessary.

Section 23. The State Fire Marshal shall be required to give a surety bond, furnished by a company authorized to transact surety business in this State, in the sum of Five Thousand Dollars, for the faithful performance of his duties, and shall subscribe and file therewith the oath of office required of all public officers; and, provided further, that any special Deputy Fire Marshal, appointed under the provisions of this Act, shall also file the oath of office required of all public officers.

Section 24. For the purpose of maintaining the department of the State Fire Marshal and the payment of expenses incident thereto, each fire insurance company doing business in this state shall pay to the State Auditor and Commissioner of Insurance, ex-officio, during the month of February or March in each year, in addition to the license fees required by law to be paid by it, provided in Section 4017, Revised Codes of 1907, a tax of one-fourth ($\frac{1}{4}$) of one (1) per cent, of the

gross premium receipts of such companies, less cancellations and return premiums, on all business transacted by it in the State of Montana during the calendar year next preceding, as shown by its annual statement under oath to the insurance department. The State Auditor and Commissioner of Insurance, ex-officio, shall pay the money so received into the State Treasury to the credit of a special fund for the maintenance of the office of the State Fire Marshal, to be known as the "State Fire Marshal Fund." If any portion of such special fund remains unexpended at the end of the year for which it was required to be paid and the State Fire Marshal so certifies, it shall be transferred to the general fund of the state; provided that such salaries, compensation of special deputies or clerks and all other expenses of the department of the State Fire Marshal, necessary in the performance of the duties imposed on him by law, shall not exceed in any year the amount paid into the State Treasury for that year by fire insurance companies as provided herein.

Section 25. The powers and authority granted by this Act of the State Fire Marshal are also vested in the Commissioner of Insurance.

Section 26. This Act shall be in full force and effect from and after March 15, 1911.

Section 27. All Acts and parts of Acts in conflict herewith are hereby repealed.

Approved March 17, 1911.

